

GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

LANDS – Government Land – General – Issue of 'NoCs' for the lands which are classified as 'Gramakantham' and categorized as 'Government Poramboke' in Revenue Records – Clarification on the criteria to be fixed for issue of 'NoC's – Orders - Issued.

Revenue (Assignments.I) Department

G.O. Ms. No. 100

Dated 22.02.2014.

Read the following :-

- (1) Lr. No. B2/733/2012-1, dated 12.02.2013, received from the Special CS and CCLA, AP Hyderabad.
- (2) Lr. No.B2/733/2012-1, dated 26.9.2013 received from the Special CS and CCLA AP Hyderabad.

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ORDER:

As regards issue of 'NoCs' for the lands which are classified as 'Gramakantham' and categorized as 'Government Poramboke' in revenue records a meeting was held on 15.12.2012 in the O/o CCLA chaired by the Special Commissioner, O/o CCLA and the Joint Collector, Krishna, Joint Collector, Srikakulam, Assistant Inspector General, O/o C&IG and RS, DRO-Warangal, AD-S.S & L.R, were present.

2. In the said meeting, the Collectors – Krishna, Vizianagaram & R.R Districts have informed that there are so many applications are being filed for issuance of 'NoC' for sale of "Gramakantham' lands. As verified from the village records the 'Gramakantham' lands were categorized as 'Government Poramboke'. Some of the lands were neither assigned nor have ceiling lands and several transactaiosn have been taken place earlier. No records are available showing that they are Government lands. But, they were noted in the Government lands list, as they were categorized as Government Poramboke and, were communicated to the Sub-Registrars by the Tahsildars. Hence, the Sub-Registrars are insisting for 'NoC' for Registration of lands classified as 'Gramakantham' and several such 'NoCs' are pending and requested necessary orders on the criteria to be fixed for issue of 'NoC's for registration of lands which are classified as 'Gramakantham'. Therefore, the Special Commissioner invited the Officers to put-forth their views & suggestions on the issue.

3. The Assistant Director (Headquarters), O/o SS&LR has expressed the Section 24 of A.P. (TA) Land Revenue Act, 1317 Fasli declares that among others, all lands wherever situated, except those belonging to persons or class legally capable of holding property and to the extent so far as their such rights are established and those in respect of which any other order under any law may have been given are the properties of Government. Further, she expressed that the Government in G.O. Ms. No.1039, Revenue (R) Department, dated 13.09.1972, clarified that in the case of vacant lands in the 'Abadi' no private occupancy should be recognized, except where the occupant is able to prove a valid grant from the Government. Even, in cases where the 'Abadi' or village is vested in the local bodies under the related enactments, such vesting is only for the purpose of communal use and the local bodies are not competent to dispose such land in any manner and the village / town site cannot be appropriated without the previous permission of the Government.

Contd.2.

4. Taking into consideration of the views expressed in the meeting, and as per the recommendations of the Special Chief Secretary and CCLA, Government hereby issue the following guidelines for issue of 'NoCs' for the lands which are classified as 'Gramakantham' and categorized as 'Government Poramboke' in Revenue Records.

1. A detailed field survey of each and every Gramakantham Poramboke needs to be taken up under provisions of Survey and Boundaries Act, 1923;
2. All the structures and sites that are being used by the community needs to be sub-divided and needs to be assigned with separate sub-division / survey numbers;
3. Before finalizing the status of lands that are being used by the community such as roads, religious places public offices, public gathering places, public buildings etc. a notice shall be published under the provisions of Survey and Boundaries Act, 1923 and needs to be finalized as per the statutory provisions of Survey and Boundaries Act, 1923.
4. All the sub-divisions that comes under communal places shall be recorded in POB and intimated to the Registration Department u/s 22(A) of the A.P. Registration Act, 2007;
5. The remaining lands which belongs to the individuals and institutions also needs to be verified by the Revenue Authorities before clearing for 'NOC' or Registration, as there is no case-wise sub-division in the FMB and up-dation of enjoyment details in any Revenue Records with respect of such lands;
6. The property owned by a private individual or a family in village site especially cattle sheds / other agrarian and domestic purpose by way of dwelling houses in rural areas can be considered to be treated a private property and the persons under whose possession the lands are occupied be allowed to sell away their lands and No Objection Certificate on their request can also be issued, since those lands are inherited from their ancestors;
7. But, it is desirable to allow up to 0.20 cents instead of Ac.0.35 cents in the village sites of rural areas to avoid land grabbers, since the Government already permits pretty encroachments upto Ac.0.20 cents as per Section 8 of BSO-26 i.e. un-authorized occupation of Government land;
8. However, in urban areas occupations in village site / Gramakantham can be limited up to Ac.0.10 cents to avoid land grabbing by others;
9. A detailed survey on village site poramboke by survey Department to ascertain age old occupations by way of thatched house, pucca and tiled houses and to maintain a separate register by the concerned Village Revenue Officer who is primarily responsible to protect the village sites / Gramakantha shall be prepared and thereafter, take necessary action on these guidelines;
10. Some of the big farmers usually have threshing floors besides having cattle sheds and residential houses, in those case No Objection Certificates are desirable to be issue for the purpose of selling residential houses only so that house sites upto Ac.0.02 cents can be issued to the eligible poor people who does not have houses;
11. (a) Issue of Possession Certificates can be considered with non-alienable condition imposed, otherwise the same can be become hindrance to large scale infrastructural projects;

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- (b) Case-by-case processing is the appropriate procedure, instead of conducting large scale survey etc to identify the extent of site occupied for the dwelling units & community purposes;
- (c) Certain clear cut instructions need to be issued to adopt by the District Administration for issuance of NOCs to the applicants;
- (d) VROs and Panchayat Secretaries may be made accountable for the proposals sent by them after due verification;
- (e) If there is no objection to the interest of public in large, then NOC can be granted;
- (f) Receipts of Local body taxes viz., municipalities / gram Panchayats etc can be considered while recommending for issue of 'NOC'.

5. The Special Chief Secretary and CCCLA,AP Hyderabad shall take further necessary action in the matter.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

B.R.MEENA
PRINCIPAL SECRETARY TO GOVERNMENT

To
The Special Chief Secretary and
CCLA, AP Hyderabad.
The Commissioner, SS&LR, Hyd.
The IG – Regn. & Stamps, AP Hyd.
The Commissioner, Panchayat Raj, AP Hyd.
All District Collectors.
Copy to:
All Assignment Sections in Rev. Dept.
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SECTION OFFICER